

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

GRAME KALI KANONGATA'A,
Petitioner,
v.
SCOTT JONES,
Respondent.

No. 2:20-cv-0973 KJM DB P

ORDER

Petitioner, a state prisoner proceeding pro se, has filed an application for a writ of habeas corpus under 28 U.S.C. § 2254. The matter was referred to a United States Magistrate Judge as provided by 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.

On August 12, 2020, the magistrate judge filed findings and recommendations, which were served on petitioner and which contained notice to petitioner that any objections to the findings and recommendations were to be filed within thirty days. Petitioner has filed objections to the findings and recommendations.

In accordance with the provisions of 28 U.S.C. § 636(b)(1)(C) and Local Rule 304, this court has conducted a *de novo* review of this case. Having reviewed the file, the court finds the findings and recommendations to be supported by the record and by the proper analysis. In reaching this conclusion the court has considered plaintiff's request for counsel, made in his objections, as well his request for a certificate of appealability, both of which the court denies as

1 unsupported by the current record and in light of the court's adoption of the findings and
2 recommendations.

3 Accordingly, IT IS HEREBY ORDERED that:

- 4 1. The findings and recommendations filed August 12, 2020, are adopted in full;
5 2. This action is dismissed without prejudice; and
6 3. The court declines to issue the certificate of appealability referenced in 28 U.S.C.
7 § 2253.

8 DATED: September 30, 2020.

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10 CHIEF UNITED STATES DISTRICT JUDGE
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